

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

LORILLARD TOBACCO COMPANY,	§	
a Delaware Corporation	§	
	§	
V.	§	NO. 1:03-CV-403
	§	
UT THI HONG, Individually and	§	
Doing Business As Gulf Drive In,	§	
UT THI NGUYEN, Individually and	§	
Doing Business As Gulf Drive In, and	§	
VIET TRAN, Individually and	§	
Doing Business As Gulf Drive In,	§	

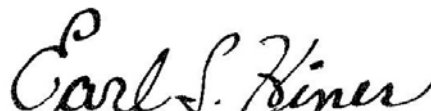
ORDER DENYING MOTION FOR PARTIAL SUMMARY JUDGMENT

Pending is plaintiff's "Motion for Partial Summary Judgment," whereby Lorillard requests an order granting partial summary judgment against defendant Ut Thi Hong. Plaintiff's claims against defendant Ut Thi Hong have been settled, and a stipulation and dismissal of those claims has been entered. Docket No. 78.

Consequently, there is no reason for the court to act on this motion. It is therefore

ORDERED that plaintiff's motion for partial summary judgment as to defendant Ut Thi Hong (Docket No. 44) is **DENIED** as moot.

SIGNED this 26th day of May, 2005.



EARL S. HINES
UNITED STATES MAGISTRATE JUDGE